IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 13831 of 2005

Between:

Sri B.Ravinder, S/o.B.Narsimlu,
R/o.4-1-584, LIG-70, Phase-No.1,
A.P.H.B. Colony, Vikarabad.

..... PETITIONER

AND

1 The Principal, Sri Anantha Padmanabha Arts Science College, Vikarabad.
2 The Mandal Revenue Officer, R.R.District, Hyderabad.
3 The Registrar, Osmania University, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a direction or writ in the nature of writ of mandamus directing Sri Anantha Padmanabha Arts and Science College, Vikarabad to issue Transfer Certificate in B.C.-C category in the petitioner name and may pass any order or orders.

Counsel for the Petitioner: MRS.S.THAMSHA RANI

Counsel for the Respondent No.1: MR.DEEPAK BHATTACHARJEE

Counsel for the Respondent Nos.2 and3: G.P. FOR SOCIAL WELFARE

The Court at the stage of admission made the following ORDER:

This writ petition is filed by the petitioner seeking Writ of *Mandamus* directing Sri Anantha Padmanabha Arts and Science College, Vikarabad to issue transfer certificate in BC-B Category in his name and to pass any other appropriate order.

2. According to the petitioner, he belongs to Scheduled Caste (Madiga). He studied S.S.C in A.P. Social Welfare Residential School for Boys, R.R. District. Thereafter, he studied Intermediate Course in Sidhartha Junior College and joined B.Com Course in the first respondent's college at Vikarabad. Now, he is studying B.Com final year. It is stated that he appeared for the DIET-CET, 2005 on 05.06.2005, under the BC-C Category and he obtained 24,925 State Rank. It is further stated that he requested the first respondent authority to issue transfer certificate to him under BC-C Category, by producing the Community Certificate issued by the Mandal Revenue Officer, Ranga Reddy District, dated 27.01.2004. The Principal refused to issue the same on the ground that the petitioner has changed his community and therefore, there must be Gazette Publication for changing the said community. Hence, the petitioner has come up with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

4. The petitioner has come up with a misapprehension that he has to produce a transfer certificate for admission into DIET course. If the petitioner belongs to B.C-C category, he has to obtain a certificate from the competent authority prescribed under the Andhra Pradesh (SC,ST & BCs) Regulation of Issue of Community Certificates

Act, 1993, under which, the Mandal Revenue Officer is the competent authority. Therefore, the petitioner has to produce the certificate issued by the Mandal Revenue Officer and not transfer certificate, and therefore, the petitioner is not entitled to any relief as sought for. The first respondent-authority cannot change the social status of the petitioner from one community to another basing on some certificate and in fact the said alteration is not relevant. The petitioner has to satisfy the authorities competent for taking admission into DIET course.

5. The writ petition is accordingly disposed of directing the petitioner to produce the Caste Certificate issued by the competent authority before the concerned authorities.

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S.Ananda Reddy, J

Date: 28.06.2005

Note: Furnish CC by tomorrow

B/o

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To

1 The Principal, Sri Anantha Padmanabha Arts Science College, Vikarabad.
2 The Mandal Revenue Officer, R.R.District, Hyderabad.
3 The Registrar, Osmania University, Hyderabad.

4 Two CCs to G.P. for Social Welfare, High Court of A.P. Buildings, Hyderabad (OUT)

5 Two CD Copies